

**DURHAM, NORTH CAROLINA
MONDAY, AUGUST 21, 2006
7:00 P. M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Pro Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Howard Clement, III and Michael Woodard. Excused Absence: Mayor William V. Bell and Council Member Thomas Stith, III.

Also present: City Manager Patrick Baker, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda E. Bratcher.

The meeting was called to order by Mayor Pro Tempore Cole-McFadden.

MOTION by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to excuse Mayor Bell and Council Member Stith from the meeting was approved at 7:01 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

At this time, Mayor Pro Tempore Cole-McFadden requested a moment of silent meditation and the pledge of allegiance was led by Council Member Clement.

Mayor Pro Tempore Cole-McFadden recognized the Angels of Praise from West Durham Baptist Church and graduates of the REAL program.

Council Member Clement recognized Davis Montgomery as the new Customer Relations Manager for Duke Energy and acknowledged Scott Gardner. He thanked Rev. Melvin Whitley for his community involvement and for being recognized in the editorial this past Saturday for earning the designation of the Durham Grit Award for the week.

Mayor Pro Tempore Cole-McFadden read proclamations honoring Dr. Caroline L. Lattimore for her work with Alpha Kappa Alpha Sorority [AKA] and education, Chad Bullock for his work on tobacco prevention, and one designating September 2006 as Alcohol and Drug Addiction Recovery Month.

On behalf of the N C Recreation and Parks Association, Council Member Woodard presented the Distinguished Board Award to the Parks & Recreation Advisory Committee for outstanding contributions and accomplishments in the promotion of recreation and parks.

Mayor Pro Tempore Cole-McFadden asked for priority items from the City Manager, City Attorney and City Clerk.

There were no priority items from the City Manager and City Attorney:

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City Clerk Gray sworn in Carolyn Davis as the Mayor's Appointee to the Recreation Advisory Commission.

Council Member Woodard commented on his attendance at the Mayor's Summer Youth Recognition Program, Police Academy Graduation, and the Annual Public Service Appreciation Day at Bethesda Baptist Church and recognized city staff, participants, employers, etc. associated with these events.

Council Member Brown thanked the Housing Department and Deputy City Manager Wanda Page for resolving an issue in Trinity Park. He asked the City Manager to address recent organizational changes concerning nuisance abatement being a separate department.

City Manager Baker noted he took code enforcement out of the Housing Department to focus on cleaning up the neighborhoods [boarded up houses, weeded lots and management of property] and to address blight in the community. Also, he noted the Impact Team was taken out of Solid Waste Department and will be a part of the code enforcement office.

Mayor Pro Tempore Cole-McFadden made comments on her attendance at the Back-to-School Forums and Community Day event.

Mayor Pro Tempore Cole-McFadden asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. No items were pulled.

MOTION by Council Member Clement seconded by Council Member Brown to approve the Consent Agenda was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

[CONSENT AGENDA]

SUBJECT: HUMAN RELATIONS COMMISSION - APPOINTMENTS

MOTION by Council Member Clement seconded by Council Member Brown to reappoint Ryan L. Urquhart and to appoint Kamala L. Uzzell to the Human Relations Commission with terms expiring on June 30, 2009 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: CITY-COUNTY APPEARANCE COMMISSION – APPOINTMENTS

MOTION by Council Member Clement seconded by Council Member Brown to appoint Nakira Devon Carter and Shannon Currey (terms expiring on April 1, 2009) and Robin Walsh (term expiring April 1, 2008) to the City-County Appearance Commission was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members

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Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: DURHAM CITY-COUNTY ENVIRONMENTAL AFFAIRS BOARD – APPOINTMENTS

MOTION by Council Member Clement seconded by Council Member Brown to reappoint Rochelle Araujo representing Water Resources and Tim Dodge representing Solid Waste/Hazardous Waste to the Durham City-County Environmental Affairs Board with terms expiring on June 30, 2009 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENTS

MOTION by Council Member Clement seconded by Council Member Brown to appoint Dorcas M. Bradley (term expiring on June 30, 2009) Dennis English (term expiring on June 30, 2007) and Anne Guyton (term expiring on June 30, 2007) to the Citizens Advisory Committee was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: HOUSING APPEALS BOARD - APPOINTMENT

MOTION by Council Member Clement seconded by Council Member Brown to appoint Paul Stinson as a Regular Member on the Housing Appeals Board to represent Landlord with a term to expire on June 30, 2009 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: DURHAM BOARD OF ADJUSTMENT - APPOINTMENTS

MOTION by Council Member Clement seconded by Council Member Brown to appoint Mohammad S. Rashdi as an Alternate Member and Lynn A. Andrews as a Regular Member to the Durham Board of Adjustment with terms expiring on June 30, 2009 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: DURHAM OPEN SPACE AND TRAILS COMMISSION - APPOINTMENT

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MOTION by Council Member Clement seconded by Council Member Brown to appoint Andrew Edmonds to the Durham Open Space & Trails Commission representing Ward 3 with the term to expire on June 30, 2009 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: DURHAM AREA TRANSIT AUTHORITY - APPOINTMENT

MOTION by Council Member Clement seconded by Council Member Brown to appoint Bruce Allen Peterson as an Alternate Member to the Durham Area Transit Authority with the term expiring on March 1, 2007 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: STREET ACCEPTANCE – PAGEHURST SUBDIVISION – HORTON HILLS EXTENSION – ELLERBEE II – NEW FOREST HILLS – GLENVIEW PARK – ACADEMY RIDGE SUBDIVISION – ADDITIONAL STREETS

MOTION by Council Member Clement seconded by Council Member Brown to accept the streets as outlined below for maintenance by the City of Durham was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

Pagehurst Subdivision

- 1) **Dilbagh Drive** – from the centerline of Rathie Drive north to the end of construction @ STA 7+35.73 (269’.)

Horton Hills Extension

- 1) **Gable Court** – from the centerline of Garcia Avenue north thru the cul-de-sac (310’), and
- 2) **Garcia Avenue** – from the end of existing construction west past Gable Court to the end of construction @ STA 15+00 (500’.)

Ellerbee II

- 1) **Ellerbee Street** – from the centerline of Drexall Avenue to the centerline of Lindbergh Street (350’), and

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- 2) **Drexall Avenue** – from the centerline of Ellerbee Street north thru the cul-de-sac (281'), and
- 3) **Lindbergh Street** - from the end of maintenance north of Ellerbee Street thru the cul-de-sac (100'.)

New Forest Hills

- 1) **Moreland Avenue** – north and south of Cliff Street (a hammerhead) (190'.)

Glenview Park

- 1) **Marcella Court** – from the north curb line of Farrington Road north thru the cul-de-sac (552'), and
- 2) **Jennel Way** – from the centerline of Marcella Court east then north thru the cul-de-sac (527'.)

Academy Ridge Subdivision

- 1) **Academy Ridge Drive** – from the west curb line of Ridge Road west thru the cul-de-sac (429'.)

Additional Streets

- 1) **Margaret Avenue** – from the end of existing maintenance @ STA 16+97.85 north to the end of construction @ STA 18+43.57 (146'), and
- 2) **Bay Point Drive** - from the centerline of Overby Drive north to STA 17+11.92 (222'.)

SUBJECT: AGREEMENT FOR DESIGN SERVICES FOR CORNWALLIS ROAD AND EAST DURHAM PLAYGROUND IMPROVEMENTS AND LYON PARK UPGRADES - SEARS DESIGN ASSOCIATES

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to execute an agreement for Design Services for Cornwallis Road and East Durham Playground Improvements and Lyon Park Upgrades with Sears Design Associates in an amount not to exceed \$161,704.00;

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To authorize the City Manager to make changes to the contract before executing it if the changes do not increase the fee to be paid by the City and do not decrease the goods and services to be provided to the City;

To establish a project contingency in the amount of \$16,170.00; and

To negotiate and execute change orders on the agreement provided the cost of each change order does not exceed \$16,170.00 and the total contract amount does not exceed \$177,874.00 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: PROPOSED LEASE AGREEMENT FOR POLICE DEPARTMENT
PROPERTY AND EVIDENCE CONTROL UNIT SHOPPES OF
LAKEWOOD AT 2000 CHAPEL HILL ROAD - DURHAM SHOPPING
CENTER, LLC**

MOTION by Council Member Brown seconded by Council Member Clement to approve the Lease Agreement with Durham Shopping Center, LLC for property in the Shoppes of Lakewood located at 2000 Chapel Hill Road with a monthly rental fee of \$1,666.67 for the 48 month period of the lease; and

To authorize the City Manager to execute and make changes to the lease prior to execution provided such changes do not change the intent of the lease terms or increase the monthly rental expenses was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: PROFESSIONAL SERVICES AGREEMENT FOR THE DESIGN OF
DOWNTOWN PARKING DECK RENOVATION PROJECTS – WALTER P.
MOORE ENGINEERS**

To authorize the City Manager to enter into an agreement with Walter P. Moore Engineers + Consultants in the amount of \$781,000;

To authorize the City Manager to make changes to the agreement before executing it if the changes do not increase the fee to be paid by the City and do not decrease the goods and services to be provided to the City;

To authorize the City Manager to establish a project contingency in the amount of \$78,100 for any unforeseen project costs;

To authorize the City Manager to negotiate and execute change orders on the Walter P. Moore Engineers + Consultants agreement the total cost of services does not exceed \$859,100.

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Note: This item was referred back to the administration – General Services Department.

**SUBJECT: AMENDMENT TO NEXT STEP HOUSING, INCORPORATED BOND
LOAN AGREEMENT – SHIRLEY STROBEL APARTMENTS**

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to amend the loan agreement and other related documents, to allow the Shirley Strobel Apartments to provide initial leases to tenants who make no more than 30% of the Median Family Income as published by HUD from year to year; and

To authorize the City Manager to modify the agreement and other related documents before execution, provided that the modifications do not increase the dollar amount of the agreement and do not lessen the obligations of the contractor was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: AMENDMENT TO CONSTRUCTION LOAN AGREEMENT WITH
DURHAM COMMUNITY LAND TRUSTEES INC.**

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to amend the existing construction loan agreement with Durham Community Land Trustees Inc. to allow for the construction of four units in an amount not to exceed \$361,210 from 1996 Housing Bond funds; and

To authorize the City Manager to amend the existing agreement to allow for a sales price increase from \$93,000 per unit to \$96,000 per unit was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: AMENDMENT TO HOME SUB-RECIPIENT AGREEMENT – CONTRACT
EXTENSION WITH THE DURHAM CENTER**

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to amend the term of the sub-recipient agreement with The Durham Center to provide short term rental assistance for low-income persons living with a disability from termination on July 31, 2006 to a new termination date of September 1, 2007; and

To authorize the City Manager to make changes to the agreement which do not increase the contract amount, lessen the contractor's duties, or extend the terms of the contract beyond September 1, 2007 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore

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Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None.
Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: AMENDMENT TO CDBG SUB-RECIPIENT AGREEMENT – CONTRACT
EXTENSION WITH UDI COMMUNITY DEVELOPMENT
CORPORATION**

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to amend the term of the sub-recipient agreement with UDI Community Development Corporation from February 28, 2006 to September, 30, 2006; and

To authorize the City Manager to make changes to the agreement which do not increase the contract amount, lessen the contractor's duties, or extend the terms of the contract beyond September 30, 2006 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

**SUBJECT: PROPOSED SALE OF PROPERTY AT 1401 TAYLOR STREET –
EASTWAY VILLAGE PIN# 0831-10-45-6027 – ANDRE SUITT**

To determine the property at 1401 Taylor Street to be surplus;

To authorize the sale of the property under the authority of Section 86 of the City Charter;

To accept the offer of \$117,500 from Andre Suitt to purchase the property at 1401 Taylor Street; and

To authorize the City Manager to sell and the Mayor to convey the property by a non- warranty deed.

Note: This item was approved at the August 10, 2006 Work Session with a vote of 7/0.

**SUBJECT: PROPOSED SALE OF PROPERTY AT 513 EASTWAY AVENUE –
EASTWAY VILLAGE PIN# 0831-10-45-4392 – TONJA L. WALL**

To determine the property at 513 Eastway Lane to be surplus;

To authorize the sale of the property under the authority of Section 86 of the City Charter;

To accept the offer of \$103,900 from Tonja L. Wall to purchase the property at 513 Eastway Lane; and

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To authorize the City Manager to sell and the Mayor to convey the property by a non-warranty deed.

Note: This item was approved at the August 10, 2006 Work Session with a vote of 7/0.

SUBJECT: CONTRACT FOR MASTER PLAN AND DESIGN OF PARK SIGNAGE SYSTEM – TWO TWELVE HAKAWA, INC.

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to enter into a contract with Two Twelve Harakawa, Inc. for planning and design of Park Signage for the sum of \$270,000.00 with a \$27,000.00 contingency for a total of \$297,000.00; and

To authorize the City Manager to negotiate and execute change orders, and to make changes to the contract before executing it, if the changes do not increase the compensation to be paid by the City and do not decrease the goods and services to be provided to the City was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: CONTRACT AMENDMENT FOR CONTRACT ST-221 MARTIN LUTHER KING JR. PARKWAY PHASE II ARCHDALE SECTION – C. C. MANGUM COMPANY, LLC.

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to amend Contract ST-221 Martin Luther King Jr. Parkway Phase II Archdale Section with C.C. Mangum Company, LLC by \$450,000.00 for additional work necessary to complete the contract; and

To authorize the expenditure of \$225,000.00 from the Martin Luther King Parkway Phase II Account and \$225,000.00 from the Water Extensions and Improvements Account was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: SERVICE CONTRACT FOR TELEMETRY LINES – VERIZON SOUTH, INC.

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to enter into a thirty-six (36) month contract with Verizon South, Inc. to furnish the City of Durham with Telemetry Service at a cost of seventy four thousand, one hundred eighty-nine dollars (\$74,189.00) plus federally mandated charges and any applicable government fees and taxes which may be incurred; and

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To authorize the City Manager to modify the contract before execution provided that the modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: ACS GOVERNMENT SYSTEMS, INC. SOFTWARE MAINTENANCE SERVICES

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to purchase the software maintenance services provided by ACS Government Systems, Inc. in the amount of \$38,274.00 to cover the period of one year was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: DURHAM APPEARANCE COMMISSION SURVEY

To receive the Durham Appearance Commission survey report.

Note: A report was received at the August 10, 2006 Work Session.

SUBJECT: REPORT ON PROPERTY TAX COLLECTIONS FOR FY2005-2006

To receive a report on the FY2005-2006 Property Tax Collections from the County Tax Administrator.

Note: A report was received at the August 10, 2006 Work Session.

SUBJECT: REPORT FROM PARSONS BRINCKERHOFF QUADE & DOUGLAS, INCORPORATED ON THE APEX STREET BRIDGE

To receive a presentation on the Apex Street Bridge Report.

Note: This item was deferred to the August 24, 2006 Work Session.

SUBJECT: DURHAM TOGETHER FOR RESILIENT YOUTH – WANDA BOONE

To receive comments from Wanda Boone regarding prevention – youth crime.

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Note: Comments were received from Wanda Boone at the August 10, 2006 Work Session.

SUBJECT: MILDRED CARLTON – FISHER HEIGHTS

To receive comments from Mildred Carlton concerning issues in Fisher Heights.

Note: Citizen did not appear at the August 10, 2006 Work Session.

SUBJECT: JOSH STARIN - WYNTERFIELD COMMUNITY

To receive comments from Josh Starin regarding the current regulations for waste management.

Note: Citizen did not appear at the August 10, 2006 Work Session.

SUBJECT: RALPH MCKINNEY

To receive comments from Ralph McKinney requesting an apology by the elected officials for not protecting the citizens from race, hate and sex abuse.

Note: Comments were received at the August 10, 2006 Work Session.

SUBJECT: DENNIS GARRETT - LOVE AND RESPECT

To receive comments from Dennis Garrett concerning awareness.

Note: Comments were received at the August 10, 2006 Work Session.

SUBJECT: NADINE YVETTE LAFELL

To receive comments from Nadine Yvette LaFell regarding the sale of private property.

Note: Comments were received at the August 10, 2006 Work Session.

SUBJECT: RESOLUTION MEMORIALIZING GEORGE WATTS CARR, JR.

MOTION by Council Member Clement seconded by Council Member Brown to direct the City Clerk to prepare a Resolution Memorializing George Watts Carr, Jr. was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members

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Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: QUALIFICATIONS FOR THE DURHAM CIVIC CENTER AUTHORITY BOARD

MOTION by Council Member Clement seconded by Council Member Brown to approve minimum qualifications for appointment to the Durham Civic Center Authority Board; and

To direct the City Clerk to set forth the minimum qualification when advertising for vacant positions as outlined below was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

Policy For Appointments to Civic Center Authority

In making appointments to the Civic Center Authority, priority will be given to having a balance of people who have at least five year of business management, legal, accounting or other pertinent experience, which may include experience with budgets, sales and marketing plans or business contracts.

SUBJECT: RADIO SYSTEM SERVICE AGREEMENT - MOTOROLA, INC.

MOTION by Council Member Clement seconded by Council Member Brown to authorize the City Manager to execute the Radio System Service Agreement with Motorola, Inc. in the amount of \$164,529.97 was approved at 7:49 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]

SUBJECT: RESOLUTION ORDERING PETITIONED IMPROVEMENT FOR CURB, GUTTER AND PAVING, WATER AND SEWER LATERALS - FORGE ROAD

Lee Murphy, of the Public Works Department, stated the administration recommended approval of this item.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Ms. Elizabeth Rollins raised concern that she was not aware of this proposed improvement until receiving notification from the city on August 9, 2006. She wanted the council to know

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that she was not opposing the improvement; however, would have preferred to know about this item much earlier.

City Manager Baker explained the process for improvements done by petition.

The Council suggested that Mr. Murphy provide Ms. Rollins a copy of the petition that was filed for this improvement.

Mayor Pro Tempore Cole-McFadden closed the public hearing.

MOTION by Council Member Woodard seconded by Council Member Brown to receive citizens' comments; and

To adopt a resolution ordering Curb, Gutter and Paving, Water and Sewer Laterals on Forge Road from the West Property Line of PIN 0728-01-26-4239 to the East Property Line of PIN 0728-01-46-0157 was approved at 7:54 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: RESOLUTION ORDERING PETITIONED IMPROVEMENT WATER MAIN ON LOFTIN STREET FROM FLETCHERS CHAPEL ROAD NORTH TO CHEEK ROAD

Lee Murphy, of the Public Works Department, addressed the Council stating the administration recommended approval of this item.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no one to speak in support or in opposition, the public hearing was declared closed.

MOTION by Council Member Woodard seconded by Council Member Clement to receive citizens' comments; and

To adopt a resolution ordering Water Main on Loftin Street from Fletchers Chapel Road north to Cheek Road was approved at 7:55 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Stith. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

SUBJECT: STREET RENAMING 800 BLOCK OF GATTIS STREET TO PAULI MURRAY PLACE (SN06-02) – SELF-HELP CDC – SOUTH OF JACKSON STREET, EAST OF KENT STREET AND WEST OF CARROLL STREET

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City/County Planning Director Frank Duke briefed Council the street renaming. He highlighted that the 800 block of Gattis Street is physically separated from the remainder of Gattis Street, Pauli Murray Place is not too close to any other streets in Durham except for Paul Road and Murray Avenue which are distinct enough. Mr. Duke stated the petition was signed by a sufficient number of adjoining property owners, there was no opposition at the public meeting to the street renaming and staff is recommending approval of the request.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Regina Neal, representing the applicant, noted she was present to answer questions.

Mayor Pro Tempore Cole-McFadden closed the public hearing.

City Attorney Henry Blinder informed the Council that in order for the Council to approve renaming the street, the motion should read to approve renaming the 800 block of Gattis Street to Pauli Murray Place.

MOTION by Council Member Catotti seconded by Council Member Woodard to receive citizens' comments on renaming the 800 block of Gattis Street to Pauli Murray Place; and

To approve renaming the 800 block of Gattis Street to Pauli Murray Place was approved at 7:58 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Stith.

There being no further business to come before the City Council, the meeting was adjourned at 7:58 p.m.

Linda E. Bratcher
Deputy City Clerk

D. Ann Gray, CMC
City Clerk